

BOARD OF APPEAL REFERRALS

August 27, 1975

1. Z-3386 Ollie M. Anderson  
37 Stratton Street, Dorchester
2. Z-3387-3388 Passionist Society of Boston, Inc.  
Religious Medical Care Foundation, Inc.  
15 Nevins Street and 155-159 Washington Streets, Brighton
3. Z-3389 George F. and Margaret T. Hannon  
67 Hewlett Street, Roslindale
4. Z-3392 The First National Bank of Boston (lessee)  
65-67 Atlantic Avenue, 205 Commercial Street, and  
22-27 Commercial Wharf North, Boston
5. Z-3394 Werner Bundschuh  
21 Prescott Street, Charlestown
6. Z-3395 James L. O'Neil  
987-991 River Street, Hyde Park
7. Z-3396 One Twenty Tremont Street Realty Trust  
Herbert M. Jacobs, Trustee  
120 Tremont Street, Boston
8. Z-3397 Saul Weinstein, Trustee  
3251-3257 Washington Street, Jamaica Plain
9. Z-3398 Park Vale Realty Trust  
Louis S. Gainor, Trustee  
50 Park Vale Avenue, Allston
10. Z-3400 James L. Jarrett  
162 Woodrow Avenue, Dorchester
11. Z-3406 East Boston Savings Bank  
856-858 Bennington Street, East Boston
12. Z-3409 Maurice M. Galer Trust  
Lawrence I. Galer  
708 Commonwealth Avenue, Boston
13. Z-3416 John F. White  
131 Lexington Street, East Boston
14. Z-3418 Edward A. and Marion A. McCracken  
917 Beacon Street, Boston

## MEMORANDUM

August 27, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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Hearing: 8/26/75

Petition No. Z-3386  
Ollie M. Anderson  
37 Stratton Street, Dorchester  
near Lucerne Street

2½-story frame structure - residential (R-.5) district

Purpose: to change occupancy to one-family dwelling and day care center.

Violation:

Section 8-7. A day care center is conditional in an R-.5 district.

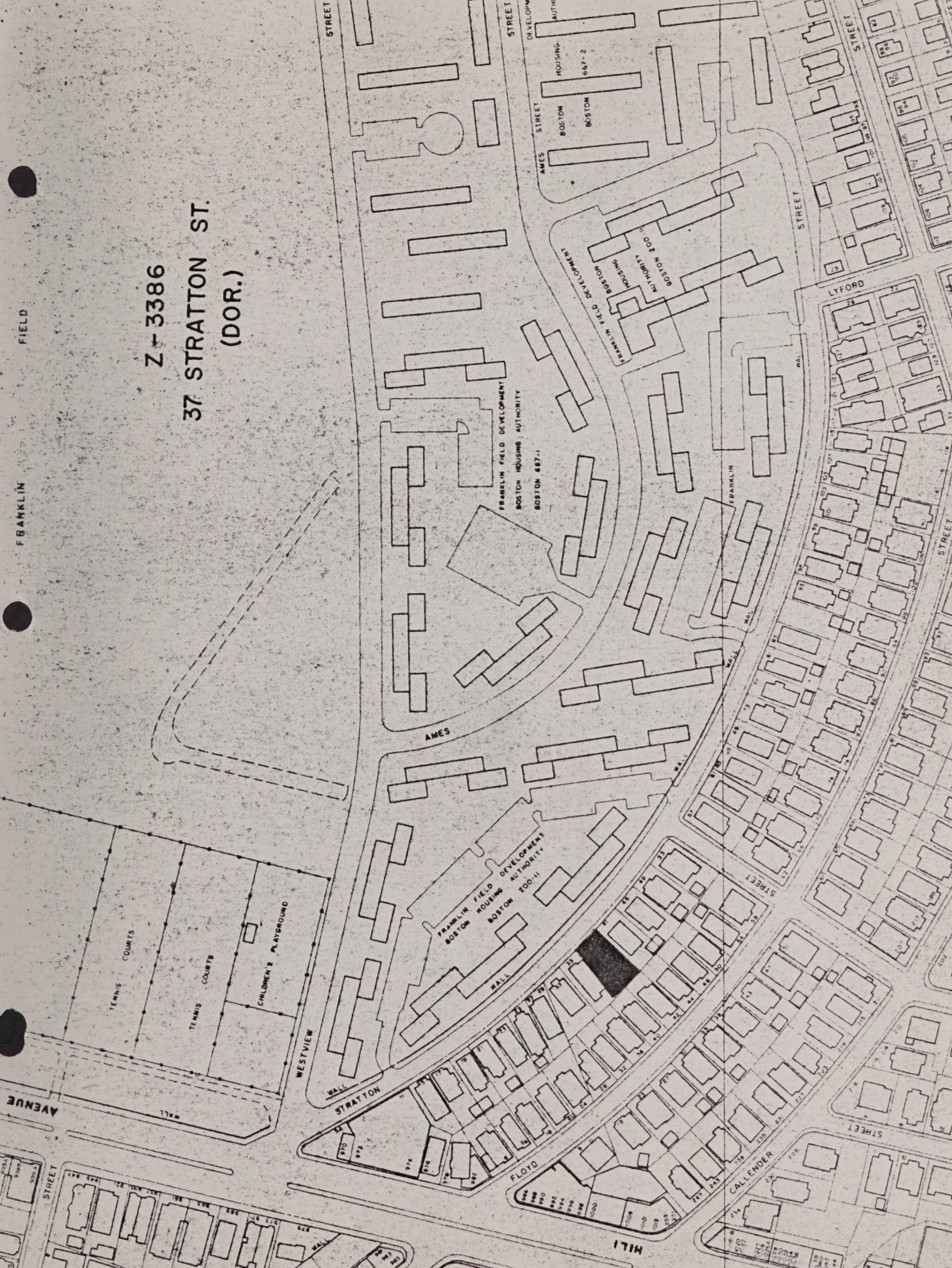
Facility, with accommodations for 25 children, is a welcome and much needed addition in the neighborhood. It will not conflict with nearby residential uses. Recommend approval with proviso.

VOTED: In reference to Petition Z-3386, brought by Ollie M. Anderson, 37 Stratton Street, Dorchester, for a conditional use to change occupancy to a one-family dwelling and day care center in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided facility complies with all City and State regulations. The center is a welcome, much needed addition in the neighborhood and will not conflict with nearby residential uses.



FIELD

F B A H K L I N





Board of Appeal Referrals 8/27/75

Hearing: 8/26/75

Petition Nos. Z-3387-3388  
· Passionist Society of Boston, Inc.  
Religious Medical Care Foundation, Inc.  
15 Nevins Street and  
155-159 Washington Street, Brighton

Religious complex - residential (R-.5) and apartment (H-2) districts.

Purpose: use of premises for the parking of 249 cars, charging a fee.

Violation:

Section 8-7. Parking lot is forbidden in R-.5 and H-2 districts.

The site will be used as a parking facility for employees and visitors of St. Elizabeth's Hospital until a garage, presently under construction on Hospital property, is completed. Proposed parking, as a temporary operation, would reduce existing traffic congestion in this mixed institutional-commercial-residential neighborhood. Recommend approval with proviso.

VOTED: In reference to Petitions Nos. Z-3387-3388, brought by the Passionist Society of Boston, Inc., and the Religious Medical Care Foundation, Inc., 15 Nevins Street and 155-159 Washington Street, Brighton, for two forbidden uses to use premises for the parking of 249 cars, charging a fee, in residential (R-.5) and apartment (H-2) districts, the Boston Redevelopment Authority recommends approval provided use as a parking lot terminates upon the completion of the garage. Proposed parking would tend to reduce existing traffic congestion in this mixed institutional-commercial-residential area.





Z-3387-88

15 NEVINS ST.

155-159 WASHINGTON ST.

(BRI.)



Board of Appeal Referrals 8/27/75

Hearing: 8/26/75

Petition No. Z-3389  
George F. and Margaret T. Hannon  
67 Hewlett Street, Roslindale  
near Selwyn Street

2½-story frame structure - residential (R-.5) district.

Purpose: to change occupancy from a one-family dwelling to a two-family dwelling.

Violations:

		<u>Required</u>	<u>Proposed</u>
Section 8-7.	A dwelling converted for more families which meets one half the requirement for lot area is conditional in an R-.5 district.		
Section 14-2.	Lot area for additional dwelling unit is insufficient.	8000 sf	6570 sf

Proposal would be consistent with the one- and two-family residential nature of the neighborhood. Recommend approval.

VOTED: In reference to Petition No. Z-3389, brought by George F. and Margaret T. Hannon, 67 Hewlett Street, Roslindale, for a conditional use and a variance for a change of occupancy from a one-family dwelling to a two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Proposal would be consistent with the one- and two-family residential nature of the neighborhood.





Z-3389  
67 HEWLETT ST  
(ROS)



Board of Appeal Referrals 8/27/75

Hearing: 8/26/75

Petition No. Z-3392  
The First National Bank of Boston (lessee)  
65-67 Atlantic Avenue,  
205 Commercial Street, and  
22-27 Commercial Wharf North, Boston

Three-story structure - manufacturing (M-2) district.

Purpose: to erect double-faced, 6-foot by 4-foot projecting sign 9 feet above sidewalk.

Violation:

Section 11-2. The bottom of the sign must be at least 10 feet from grade and its top no higher than the top of the sills of the first level of windows above the first story.

Sign, which identifies the bank, is in place. There is no artificial illumination. It has been reviewed by the staff. Recommend approval.

VOTED: In reference to Petition No. Z-3392, brought by the First National Bank of Boston, 65-67 Atlantic Avenue, 205 Commercial Street, 22-27 Commercial Wharf North, in the Waterfront Urban Renewal Area, for a conditional use to erect a 6-foot by 4-foot projecting sign 9 feet above the sidewalk in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. Sign meets conditional use requirements.



Z-3392

65-67 ATLANTIC AVE.  
205 COMMERCIAL ST.  
22-27 COMMERCIAL WHARF  
NORTH

(B.P.)





Board of Appeal Referrals 8/27/75

Hearing: 9/9/75

Petition No. Z-3394  
Werner Bundschuh  
21 Prescott Street, Charlestown  
near Washington Street

Three-story frame structure - apartment (H-1) district.

Purpose: to change occupancy from three apartments to four apartments.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirement for lot area is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	6000 sf	1991 sf
Section 17-1. Open space is insufficient.	400 sf	256 sf

Density would be consistent with surrounding area. Violations will not adversely affect abutting properties. Structure is being extensively rehabilitated. Recommend approval.

VOTED: In reference to Petition No. Z-3394, brought by Werner Bundschuh, 21 Prescott Street, in the Charlestown Urban Renewal Area, for a forbidden use and two variances for a change of occupancy from three apartments to four apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Density would be consistent with surrounding area. Violations will not adversely affect abutting properties.



Z-3394  
21 PRESCOTT ST.  
(CHSN.)





Board of Appeal Referrals 8/27/75

Hearing: 9/9/75

Petition No. Z-3395  
James L. O'Neil  
987-991 River Street, Hyde Park  
at Lexington Avenue

One-story masonry structure - residential (R-.5) district.

Purpose: to legalize existing occupancy - florist shop, beauty shop, gymnastic studio.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 9-2. A change in a nonconforming use requires Board of Appeal approval.		
Section 10-1. Parking not allowed within required front yard.		
Section 23-2. Off-street parking is insufficient.	6 spaces	3 spaces

Shops and studio are existing. Front yard parking violation is technical. Three parking spaces are provided at rear of structure along Lexington Avenue (front yard requirements apply along street lines). Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3395, brought by James L. O'Neil, 987-991 River Street, Hyde Park, for a change in a nonconforming use and two variances to legalize existing occupancy by florist shop, beauty shop, and gymnastic studio in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided signs conform with code regulations.





Z-3395  
987-991 RIVER ST.  
(H.P.)



Board of Appeal Referrals 8/27/75

Hearing: 8/26/75

Petition No. Z-3396  
One Twenty Tremont Street Realty Trust  
Herbert M. Jacobs, Trustee  
120 Tremont Street, Boston  
near Bromfield Street

Six-story structure - general business (B-10) district.

Purpose: to change occupancy from offices and commercial to offices, beauty school, and secretarial school.

Violation:

Section 8-7. A secretarial school is conditional in a B-10 district.

A part of the fourth floor of this commercial structure would be remodeled to accommodate the Hickox Secretarial School. Facility would comply with conditional use requirements. Recommend approval.

VOTED: In reference to Petition No. Z-3396, brought by One Twenty Tremont Street Realty Trust, 120 Tremont Street, Boston, for a conditional use for a change of occupancy from offices and commercial to offices, beauty school, and secretarial school in a general business (B-10) district, the Boston Redevelopment Authority recommends approval. Facility would comply with conditional use requirements.







Board of Appeal Referrals 8/27/75

Hearing: 9/9/75

Petition No. Z-3397  
Saul Weinstein, Trustee  
3251-3257 Washington Street,  
Jamaica Plain  
at Cornwall Street

One-story structure - local business (L-.5) district.

Purpose: to change occupancy to social club.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A private club is conditional in an L-.5 district.		
Section 23-2. Off-street parking is insufficient.	26 spaces	5 spaces

Proposal with its attendant activities would have a detrimental effect on surrounding residential properties. The excessive parking deficiency further prohibits use of the structure for social club and public rental purposes. Recommend denial.

VOTED: In reference to Petition No. Z-3397, brought by Saul Weinstein, Trustee, 3251-3257 Washington Street, Jamaica Plain, for a conditional use and a variance for a change of occupancy to a social club in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial. Proposal with its attendant activities would have a detrimental effect on surrounding residential properties. The excessive parking deficiency further prohibits use of the structure for social club and public rental purposes.





Z-3397  
3251-3257 WASHINGTON ST.  
(J.P.)



## Board of Appeal Referrals 8/27/75

Hearing: 9/9/75

Petition No. Z-3398  
 Park Vale Realty Trust  
 Louis S. Gainor, Trustee  
 50 Park Vale Avenue, Allston  
 near Brighton Avenue

Three-story masonry structure - apartment (H-1) district.

Purpose: to change occupancy from 18 to 24 apartments.

## Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements of lot area, open space, and off-street parking is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf	74 sf
Section 17-1. Open space is insufficient.	400 sf	125 sf
Section 19-2. Side yard is insufficient.	10 ft.	3 ft.
Section 23-1. Off-street parking is insufficient.	5 spaces	0

Proposed conversion is inappropriate and excessive, would intensify existing acute on-street parking conditions, and does not comply with conditions required for a variance. Recommend denial.

VOTED: In reference to Petition No. Z-3398, brought by Park Vale Realty Trust, 50 Park Vale Avenue, Allston, for a forbidden use and four variances for a change of occupancy from 18 to 24 apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Proposed conversion is inappropriate and excessive, would intensify existing acute on-street parking conditions, and does not comply with conditions required for a variance.



Z-339  
50 PARK VALE AVE.  
(ALLSTON)





## Board of Appeal Referrals 8/27/75

Hearing: 9/9/75

Petition No. Z-3400  
 James L. Jarrett  
 162 Woodrow Avenue, Dorchester  
 at Mountain Avenue

One-story masonry structure - residential (R-.8) district.

Purpose: to combine lots; to change occupancy from store to store and restaurant; to erect roofed patio addition.

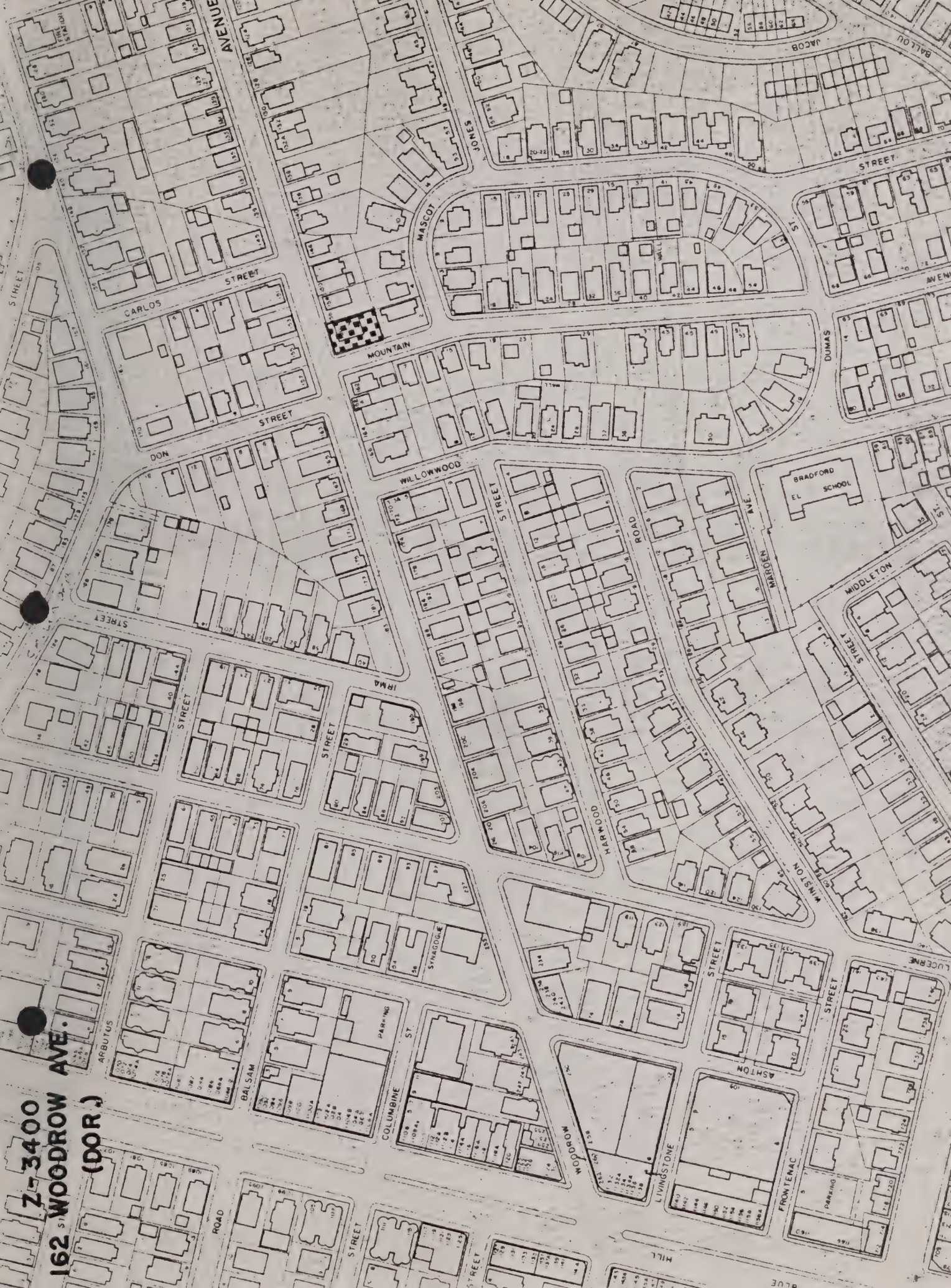
## Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Sale over the counter of on-premises-prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out is forbidden in an R-.8 district.		
Section 8-7. A restaurant is forbidden in an R-.8 district.		
Section 9-1. Extension of a nonconforming use requires Board of Appeal approval.		
Section 18-1. Front yard is insufficient.	25 ft.	0

Restaurant is apparently operating. Patio addition would not be enclosed.  
 Off-street parking will be provided. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3400, brought by James L. Jarrett, 162 Woodrow Avenue, Dorchester, for two forbidden uses, extension of a nonconforming use, and a variance to combine lots, change occupancy from store to store and restaurant, and erect a one-story addition in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided that the parking area is effectively screened from adjacent properties and that any signage complies with the code.





Z-3400  
162 WOODROW AVE.  
(DOR.)



Board of Appeal Referrals 8/27/74

Hearing: 8/26/75

Petition No. Z-3406  
East Boston Savings Bank  
856-858 Bennington Street, East Boston  
near Trident Street

One-story masonry structure - local business (L-.5) district.

Purpose: to change occupancy from bank to drive-in bank.

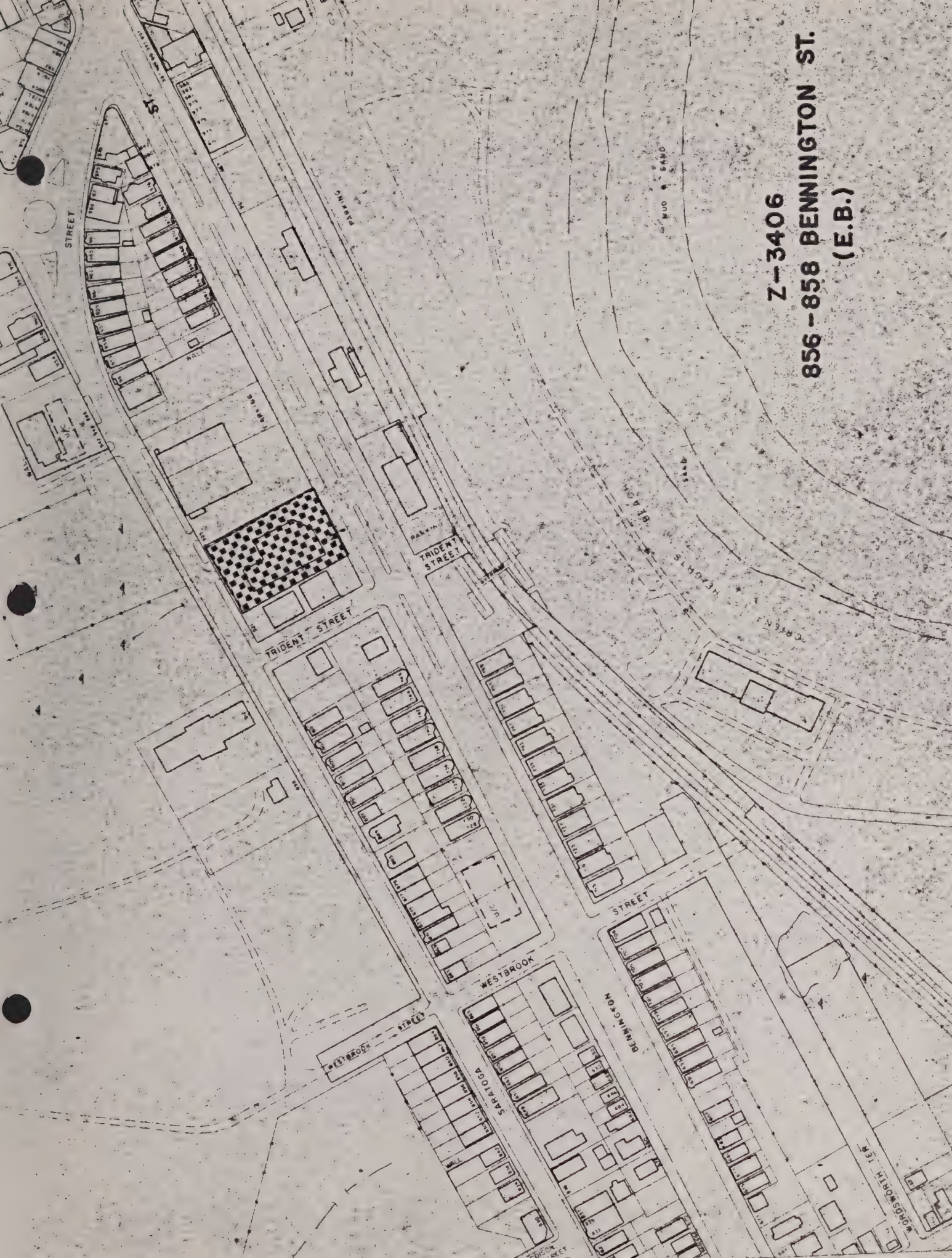
Violation:

Section 8-7. A drive-in bank is conditional in an L-.5 district.

In May, petitioner received a building permit to convert an insurance office to a bank. It is now proposed to provide drive-in window facilities. Building rehabilitation and landscaping will enhance the area. Location of proposed window will not have an adverse impact on existing traffic conditions. Community supports the facility. Recommend approval.

VOTED: In reference to Petition No. Z-3406, brought by East Boston Savings Bank, 856-858 Bennington Street, East Boston, for a conditional use for a change of occupancy from a bank to a drive-in bank in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval. Building rehabilitation and landscaping will enhance the area. Location of proposed window will not have an adverse impact on existing traffic conditions. Community supports the facility.





Z-3406

856-858 BENNINGTON ST.

(E.B.)



Board of Appeal Referrals 8/27/75

Hearing: 9/16/75

Petition No. Z-3409  
Maurice M. Galer Trust  
Lawrence I. Galer  
708 Commonwealth Avenue, Boston  
near Cummington Street

Three-story masonry structure - apartment (H-4) district.

Purpose: to change occupancy from four apartments, restaurant, and retail store to four apartments, restaurant and beauty salon.

Violations:

Section 8-7. A beauty salon is forbidden in an H-4 district.

Section 9-2. A change in a nonconforming use requires Board of Appeal approval.

Section 11-1. Area of proposed sign is excessive.

Facility would be compatible with the mixed-use character (residential-commercial-institutional) of the area. Recommend approval with sign proviso.

VOTED: In reference to Petition No. Z-3409, brought by Maurice M. Galer Trust, 708 Commonwealth Avenue, Boston, for a forbidden use, a change in a nonconforming use, and a conditional use for a change of occupancy from four apartments, restaurant, and retail store to four apartments, restaurant, and beauty salon in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval provided signage conforms with code regulations.





Z-3409  
708 COMMONWEALTH AVE.  
(B.P.)



## Board of Appeal Referrals 8/27/75

Hearing: 9/16/75

Petition No. Z-3416  
 John F. White  
 131 Lexington Street, East Boston  
 at Brooks Street

One-story frame structure - local business (L-1) district.

Purpose: to legalize occupancy for office; to erect one-story addition.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 20-1. Rear yard is insufficient.	20 ft.	0

Structure, formerly a hardware store, would be utilized as a newspaper circulation office. Use would not have a significant effect on the neighborhood residential-local-business properties. Recommend approval.

VOTED: In reference to Petition No. Z-3416, brought by John F. White, 131 Lexington Street, East Boston, for a variance to legalize an existing office building and erect a one-story addition in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. Use would not have a significant effect on the neighborhood residential-local-business properties.



Z-3416

131 LEXINGTON ST.  
(E. B.)





Board of Appeal Referrals 8/27/75

Hearing: 9/16/75                      Petition No. Z-3418  
Edward A. and Marion A. McCracken  
917 Beacon Street, Boston  
near Keswick Street

Three-story masonry structure - apartment (H-2) district.

Purpose: to change occupancy from two apartments and store to fraternity house.

Violations:		<u>Required</u>	<u>Proposed</u>
Section 9-2.	A change in a nonconforming use requires a Board of Appeal hearing.		
Section 23-1.	Off-street parking is insufficient.	4 spaces	0

Proposed change would make the property tax exempt, and there is some opposition in the neighborhood to use as a fraternity house. Lack of off-street parking would further intensify existing congestion. Recommend denial.

VOTED: In reference to Petition No. Z-3418, brought by Edward A. and Marion A. McCracken, 917 Beacon Street, Boston, for a change in a nonconforming use and a variance for a change of occupancy from two apartments and store to fraternity house in an apartment (H-2) district, the Boston Redevelopment Authority recommends denial. Proposal would be tax exempt, and there is opposition in the community to the use as a fraternity house. Lack of off-street parking would further intensify existing congestion.



Z-3418

917 BEACON ST.

(B.P.)

LINE

